

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

<b>IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>  <hr/> <b>THIS DOCUMENT RELATES TO ETHICON WAVE 3 CASES</b>	<b>Master File No. 2:12-MD-02327 MDL No. 2327</b>   <b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>
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**DEFENDANTS' MOTION TO STRIKE AUGUST 29, 2016  
DEPOSITION OF JERRY BLAIVAS, M.D.**

Defendants Ethicon, Inc., Ethicon LLC, and Johnson & Johnson hereby move to strike the August 29, 2016 Deposition of Jerry Blaivas, M.D., filed as Exhibit A to Plaintiffs' Opposition to Defendants' Motion and Memorandum in Support of its Motion to Exclude Certain General Opinions of Jerry Blaivas, M.D., as well as all references to the deposition referenced in that Opposition. *See* Doc. 2947.<sup>1</sup> As grounds for this motion, Plaintiffs improperly noticed the deposition and have inappropriately sought to use it as an opportunity to modify and add to Dr. Blaivas's opinions. In support of this motion, Defendants have filed a memorandum of law herewith, as well as correspondence of the parties' counsel, filed herewith as Exhibit A.

Respectfully Submitted,

/s/ Christy D. Jones  
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<sup>1</sup> Plaintiffs filed the deposition in the Wave 3 cases, but the deposition should be excluded for any purpose.

/s/ David B. Thomas

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JOHNSON & JOHNSON

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**CERTIFICATE OF SERVICE**

I, Christy D. Jones, certify that on this day I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

*/s/ Christy D. Jones* \_\_\_\_\_

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